



19 JUN 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of:	:	
SAKAI, et al.	:	
U.S. Application No.: 10/537,484	:	DECISION ON PETITION TO
PCT No.: PCT/JP03/11848	:	CHANGE INVENTOR'S NAME
International Filing Date: 17 September 2003	:	(37 CFR 1.182)
Priority Date: 03 December 2002	:	
Attorney Docket No.: 273185US0PCT	:	
For: RUTHENIUM COMPOUND AND	:	
PROCESS FOR PRODUCING	:	
METALLIC RUTHENIUM FILM	:	

This decision is issued in response to the "Petition Under 37 CFR 1.182 To Correct Name Of Inventor" filed by applicants on 13 February 2006. Applicants have submitted the required \$400 petition fee.

BACKGROUND

On 17 September 2003, applicants filed international application PCT/JP03/11848. The application claimed a priority date of 03 December 2002 and designated the United States. On 17 June 2004, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 03 June 2005. The published international application identified the second applicant/inventor as Sachiko OKADA.

On 03 June 2005, applicants filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee, a translation of the international application into English, and an executed declaration. However, the name of the second inventor on the declaration (Sachiko HASIMOTO) did not correspond to the name of the second inventor on the international application (Sachiko OKADA).

On 21 December 2005, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) indicating that the oath filed 03 June 2005 was defective based on the discrepancy in the second inventor's name. The Notification required submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 13 February 2006, applicants filed the petition considered herein, seeking to change the name of record for the second inventor from Sachiko OKADA to Sachiko HASIMOTO.

DISCUSSION

Applicants' 13 February 2006 submission included payment of the required petition fee and a "Declaration Of Sachiko HASIMOTO" that confirms that the second inventor's name was changed as a result of her marriage. These materials satisfy the requirements for a grantable petition under 37 CFR 1.182 to change this inventor's name.

CONCLUSION

Applicants' petition under 37 CFR 1.182 to change the name of record for inventor Sachiko OKADA to Sachiko HASIMOTO is **GRANTED**.

Based on the above, the declaration filed 03 June 2005 is now acceptable in compliance with 37 CFR 1.497.

Because the declaration was filed prior to the expiration of thirty months from the priority date, no surcharge is required.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 03 June 2005.



Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296
Facsimile: (571) 273-0459